

Cheltenham Borough Council

Cabinet 16th May 2017

Application for designation of a Neighbourhood Area and Neighbourhood Forum by the Springbank Neighbourhood Forum

Accountable member	Councillor McKinlay – Lead Member for Local Development Plan
Accountable officer	Tracey Crews – Director of Planning
Ward(s) affected	Springbank
Executive summary	<p>Cheltenham Borough Council has a statutory duty to advise or assist communities in the preparation of Neighbourhood Development Plans (NDP). The Localism Act 2011 sets out the Local Planning Authority's (LPA) responsibilities including designating Neighbourhood Plan Areas by inserting provisions into the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012 (as amended).</p> <p>An application to designate a neighbourhood plan area and designate the Springbank Neighbourhood Forum as the neighbourhood forum for that area has been received. This application has been assessed against the requirements set out in the legislation and is considered to meet the requirements to enable designation of the neighbourhood area and of the neighbourhood forum. The Council's Neighbourhood Planning Protocol has been used to guide officers in assessing the application.</p> <p>Approval of this application enables the Springbank Neighbourhood Forum to prepare a NDP for the area covered by the designation.</p>
Recommendations	<ol style="list-style-type: none">1. To approve the designation of the Springbank Neighbourhood Forum area (the current Springbank Ward) for the purpose of preparing a Neighbourhood Development Plan.2. To approve the designation of the Springbank Neighbourhood Forum as neighbourhood forum as defined by the Localism Act 2011.

Financial implications	<p>Additional financial contributions are available from DCLG to support Neighbourhood Planning. This is in recognition of the legal obligations placed upon the Council to provide advice and support to those seeking to introduce a Neighbourhood Development Plan (NDP). This advice and support also includes arranging for the examination of the NDP and the referendum on the NDP. The Council may submit claims to the DCLG to cover the expenditure within the set limits. At present a local authority may submit claims of up to £30,000 for each completed NDP for consideration by the DCLG, made up of £20,000 once they have set a date for a referendum following a successful examination; £5,000 for the first five neighbourhood areas designated and £5,000 for the first five neighbourhood forums designated.</p> <p>There will be resource implications for Officers due to the requirement to provide some assistance and advise communities in the preparation of a Neighbourhood Plan; checking a submitted Plan meets legal requirements, arranging for the independent examination of the Plan; determining whether the Neighbourhood Plan meets the basic conditions and other legal requirements, arranging a referendum, and, subject to the results of the referendum, bringing the Plan into force.</p> <p>Appropriate claims to the DCLG will need to be made to ensure the additional cost burden to the Council is mitigated.</p> <p>Contact officer: Sarah Didcote, Business Partner Manager sarah.didcote@cheltenham.gov.uk, 01242 264125</p>
Legal implications	<p>This work is pursuant to Sections 61G and 61H of the Town and Country Planning Act 1990 as inserted by the Localism Act 2011 and applied by Section 38C of the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012 as amended by the Neighbourhood Planning (General) (Amendment) Regulations 2015.</p> <p>Contact officer: Nick Jonathan, <i>nick.jonathan@tewkesbury.gov.uk</i>, 01684 272032</p>
HR implications (including learning and organisational development)	<p>Officers are working closely with the neighbourhood forum. Officer resources will be programmed as appropriate.</p> <p>There are no Trade Union implications.</p> <p>Contact officer: Julie McCarthy, <i>julie.mccarthy@cheltenham.gov.uk</i>, 01242 777249</p>
Key risks	<p>Local authorities are required to provide assistance to parish councils and neighbourhood forums in the neighbourhood planning process. They must take decisions as soon as possible and within statutory time periods. If the Council does not act constructively and make decisions on time then there is a risk that it will fail its statutory duties.</p>

Environmental/Social/ Equality Implications	<p>There are no known implications at this stage; however a neighbourhood development plan may require a strategic environmental assessment (SEA) under the EU Regulations and/or a Habitat Regulations Assessment (HRA). This will depend on the content of the neighbourhood plan.</p> <p>Preparation of Neighbourhood Development Plans could have implications for biodiversity, habitats, energy usage, waste and recycling and/or protected species. These would need to be considered by the body preparing the Plan as appropriate.</p> <p>The responsibility resides with the authorised body however the Borough Council may wish to support the authorised body to undertake a SEA/HRA screening of draft plans to determine whether a SEA and/or HRA will be required.</p>
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1. Background

- 1.1 The planning system helps decide what gets built, where and when. It is essential for supporting economic growth, improving people's quality of life, and protecting the natural environment. The Government's intention is to give local communities a greater say in planning decisions by providing the opportunity to prepare a 'Neighbourhood Development Plan', also known as a Neighbourhood Plan (NP).
- 1.2 Neighbourhood planning was introduced through the Localism Act 2011 with specific legislation the *Neighbourhood Planning (General) Regulations 2012* and subsequently amended by the *Neighbourhood Planning (General) Regulations 2015* came into force in April 2012 and February 2015 respectively. The report will refer to these as "the 2012 Regulations".
- 1.3 NPs are a statutory community-led framework for guiding the future development and growth of an area. NPs relate to the use and development of land and associated social, economic and environmental issues. NPs can establish general planning policies for the development and use of land in a neighbourhood, for example where new homes and offices should be built and what they should look like. The NP can be detailed or general, depending what local people want. However, NPs still need to meet the needs of the wider area, which will be set out through the Joint Core Strategy and the Cheltenham Plan.
- 1.4 NPs will be subject to full public engagement, examination and a public referendum. Once adopted a NP will form part of the statutory development plan (along with the Joint Core Strategy and Cheltenham Plan), which is used for guiding decisions on planning applications.
- 1.5 The presumption is that local authorities will designate neighbourhood areas on existing parish boundaries unless there is a valid planning reason not to do so. In non-parished areas, community and business groups can apply as long as they are able to demonstrate that they qualify as a relevant body and that its neighbourhood area/boundaries are justified. They will be classified as a neighbourhood forum. There are specific rules associated with running a forum.
- 1.6 This is the second application the Borough has received to designate a neighbourhood forum in the west of Cheltenham. The first application, submitted by the West Cheltenham Neighbourhood Forum, was consulted on in September and October 2016 and refused by Cabinet on 13th December 2016. The reasons for refusal were:

The Council considers that the submitted forum application has been made for an area which is not appropriate as a neighbourhood area. The area cuts across ward boundaries and includes a number of separate communities, which would reduce community cohesion.

The Council considers that because the area applied for is not agreed as constituting an

appropriate area, the membership of the applied for forum cannot be found to comply with Section 61F(5) of the Town and Country Planning Act 1990 part (c); having a membership of "a minimum of 21 individuals each of whom lives in the neighbourhood area concerned"

- 1.7** The current application differs from the previous application in several key ways. Firstly, it has been submitted by a different organisation (Springbank Neighbourhood Forum). Secondly, the current application area follows the boundary of the Springbank ward whereas the previous application included Springbank ward as well as Hesters Way ward and the majority of St. Mark's and St. Peter's wards.
- 1.8** Local Planning Authorities have a statutory duty to advise or assist communities in the preparation of NPs and to take Plans through a process of independent examination. The Council's responsibilities include:
- Designating the area of the NP;
 - Designate neighbourhood forums;
 - Advising or assisting communities in the preparation of a Neighbourhood Plan;
 - Checking a submitted Plan meets legal requirements;
 - Arranging for the independent examination of the Plan;
 - Determining whether the NP meets the basic conditions and other legal requirements;
 - Arranging a referendum to ensure that the local community has the final say on whether a NP comes into force in their area; and
 - Subject to the results of the referendum, bringing the Plan into force.

2. Process for designation of a neighbourhood area

- 2.1** The 2012 Regulations specify that the following must be submitted by the relevant body:
- A map identifying the proposed Neighbourhood Area (Regulation 5(1)(a));
 - A statement explaining why the area is appropriate to be designated as a Neighbourhood Area (Regulation 5(1)(b)); and
 - A statement explaining that the body making the area application is capable of being a relevant body (Regulation 5(1)(c)).
- 2.2** Prior to the Council determining the application the Council is required to publicise the application for a period of not less than six weeks to invite representations on the proposal. The application is required to be publicised on the Borough Council's website and in any other such manner as is considered likely to bring the application to the attention of people who live, work or carry out business in the area to which the application relates.
- 2.3** The Local Authority is required to determine this application within thirteen weeks of first being publicised having regard to the following matters set out in Sections 61G and 61H of the Town and Country Planning Act 1990 and the 2012 Regulations (as amended):
- 1) Is the organisation making the application a relevant body?
 - 2) Is the area identified for designation as a Neighbourhood Area considered appropriate?
 - 3) Would the area more appropriately be designated as a business area i.e. the area is

wholly or predominantly in business use?

4) Does the area overlap with another designated area?

5) Any comments received during the public consultation.

3. Process for designation of a neighbourhood forum

3.1 The 2012 Regulations (as amended) specify that the following must be submitted by the relevant body as part of an application for designation of a neighbourhood forum:

- The name of the proposed neighbourhood forum;
- A copy of the written constitution of the proposed neighbourhood forum;
- The name of the neighbourhood area to which the application relates and a map which identifies the area;
- The contact details of at least one member of the proposed neighbourhood forum to be made public in regulations 9 and 10; and
- A statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.

4. Springbank Neighbourhood Forum Application

4.1 An application to designate a neighbourhood plan area and designate the Springbank Neighbourhood Forum as the neighbourhood forum for that area was accepted on 28th March 2017. The application must be determined before the 27th of June 2017.

4.2 Consultation on the application began immediately and ran for six weeks until 9th May 2017. The application was published on the Council's website (www.cheltenham.gov.uk/info/1004/planning_policy/1155/neighbourhood_plans) and was made available in the following locations:

- Municipal Offices; Charlton Kings Library; Cheltenham Library; Hesters Way Library and Community Resource Centre; Prestbury Library; Up Hatherley Library; Bishop's Cleeve Library; Springbank Community Resource Centre, Cheltenham West End Partnership Community Resource Centre; and Oakley Community Resource Centre.

4.3 The application has been considered and assessed against the matters set out in sections two and three:

- 1) The Springbank Neighbourhood Forum qualifies as a relevant body to make an application (see Appendix 2 for the criteria set out in section 61F of the 1990 Act and section 8 of the 2012 regulations);
- 2) The area proposed to be designated does not include any parish or any organisation currently seeking to be designated and there are no other designated areas that overlap with the proposed area;
- 3) The area proposed for designation cannot be described as being wholly or predominantly in business use and, therefore, it would be inappropriate to designate the area as a business area;
- 4) The area proposed is supported by a statement explaining why the area is considered appropriate.

- 4.4** At the time of writing 10 representations have been received in respect of this designation. All of the representations are in support of the application. The majority of the comments see the Springbank Neighbourhood Forum as offering local people the opportunity to have more of an input into West Cheltenham JCS Strategic Allocation (see appendix 5).
- 4.5** On the basis of these points raised above, officers can see no planning reason to object to this application. Officers recommend the designation should be approved and the Forum should be enabled to continue to produce their neighbourhood plan.

5. Relevant Council Policies and Strategies

5.1 The following plans are considered relevant:

- Cheltenham Borough Council Local Plan, Second Review (adopted July 2006)
- Joint Core Strategy: Submission version (November 2014)
- Joint Core Strategy Main Modifications (February 2017)
- Emerging Cheltenham Plan (part one). Preferred Options consultation: February to April 2017

6. Alternative options Considered

6.1 The neighbourhood area application process is a statutory requirement, so for this reason there is no suitable alternative to its approval. Sign-off has been delegated to Cabinet as per the Council's Neighbourhood Planning Protocol adopted on 14th December 2015.

7. Consultation and feedback

7.1 The prescribed date for determining an area application is thirteen weeks from the date immediately following that on which the application is first publicised.

8. Performance management –monitoring and review

8.1 The main consideration for the Council is to ensure it carries out its duty to determine the application within eight weeks of the application first being publicised. This has been achieved.

Report author	Contact officer: John Rowley, Senior Planning Policy Officer John.rowley@cheltenham.gov.uk, 01242 774928
Appendices	1. Risk Assessment 2. Neighbourhood Planning Criteria 3. Application for Designation of a Neighbourhood Plan Forum and Area 4. Springbank Neighbourhood Forum Constitution 5. Consultation Representations
Background information	All background information regarding the application will be made available on the Council's website.

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	Local authorities are required to provide assistance to parish councils and neighbourhood forums in the neighbourhood planning process. They must take decisions as soon as possible and within statutory time periods. If the Council does not act constructively and make decisions on time then there is a risk that it will fail its statutory duties.	Tracey Crews	26.4.17	2	2	4	Accept	None	N/A	John Rowley	N/A if the recommendations of this report are agreed.

Explanatory notes

Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

Likelihood – how likely is it that the risk will occur on a scale of 1-6
(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

Control - Either: Reduce / Accept / Transfer to 3rd party / Close

Extract from The Town and Country Planning Act 1990 as amended**61F Authorisation to act in relation to neighbourhood areas**

- (1) For the purposes of a neighbourhood development order, a parish council are authorised to act in relation to a neighbourhood area if that area consists of or includes the whole or any part of the area of the council.
- (2) If that neighbourhood area also includes the whole or any part of the area of another parish council, the parish council is authorised for those purposes to act in relation to that neighbourhood area only if the other parish council have given their consent.
- (3) For the purposes of a neighbourhood development order, an organisation or body is authorised to act in relation to a neighbourhood area if it is designated by a local planning authority as a neighbourhood forum for that area.
- (4) An organisation or body may be designated for a neighbourhood area only if that area does not consist of or include the whole or any part of the area of a parish council.
- (5) A local planning authority may designate an organisation or body as a neighbourhood forum if the authority are satisfied that it meets the following conditions—
 - (a) it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area),
 - (b) its membership is open to—
 - (i) individuals who live in the neighbourhood area concerned,
 - (ii) individuals who work there (whether for businesses carried on there or otherwise), and
 - (iii) individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,
 - (c) its membership includes a minimum of 21 individuals each of whom—
 - (i) lives in the neighbourhood area concerned,
 - (ii) works there (whether for a business carried on there or otherwise), or
 - (iii) is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,
 - (d) it has a written constitution, and
 - (e) such other conditions as may be prescribed.
- (6) A local planning authority may also designate an organisation or body as a neighbourhood forum if they are satisfied that the organisation or body meets prescribed conditions.
- (7) A local planning authority—
 - (a) must, in determining under subsection (5) whether to designate an organisation or body as a neighbourhood forum for a neighbourhood area, have regard to the desirability of designating an organisation or body—

- (i) which has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of sub-paragraphs (i) to (iii) of subsection (5)(b),
- (ii) whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and
- (iii) whose purpose reflects (in general terms) the character of that area,
- (b) may designate only one organisation or body as a neighbourhood forum for each neighbourhood area,
- (c) may designate an organisation or body as a neighbourhood forum only if the organisation or body has made an application to be designated, and
- (d) must give reasons to an organisation or body applying to be designated as a neighbourhood forum where the authority refuse the application.

(8) A designation—

- (a) ceases to have effect at the end of the period of 5 years beginning with the day on which it is made but without affecting the validity of any proposal for a neighbourhood development order made before the end of that period, and
- (b) in the case of the designation of an unincorporated association, is not to be affected merely because of a change in the membership of the association.

(9) A local planning authority may withdraw an organisation or body's designation as a neighbourhood forum if they consider that the organisation or body is no longer meeting—

- (a) the conditions by reference to which it was designated, or
- (b) any other criteria to which the authority were required to have regard in making the designation;

and, where an organisation or body's designation is withdrawn, the authority must give reasons to the organisation or body.

(10) A proposal for a neighbourhood development order by a parish council or neighbourhood forum may not be made at any time in relation to a neighbourhood area if there is at that time another proposal by the council or forum in relation to that area that is outstanding.

(11) Each local planning authority must make such arrangements as they consider appropriate for making people aware as to the times when organisations or bodies could make applications to be designated as neighbourhood forums for neighbourhood areas.

(12) Regulations—

- (a) may make provision in connection with proposals made by qualifying bodies for neighbourhood development orders, and
- (b) may make provision in connection with designations (or withdrawals of designations) of organisations or bodies as neighbourhood forums (including provision of a kind mentioned in section 61G(11)(a) to (g)).

(13) The regulations may in particular make provision—

- (a) as to the consequences of the creation of a new parish council, or a change in the area of a parish council, on any proposal made for a neighbourhood development order,
- (b) as to the consequences of the dissolution of a neighbourhood forum on any proposal for a neighbourhood development order made by it,
- (c) suspending the operation of any duty of a local planning authority under paragraph 6 or 7 of Schedule 4B in cases where they are considering the withdrawal of the designation of an organisation or body as a neighbourhood forum,
- (d) for determining when a proposal for a neighbourhood development order is to be regarded as outstanding, and
- (e) requiring a local planning authority to have regard (in addition, where relevant, to the matters set out in subsection (7)(a)) to prescribed matters in determining whether to designate an organisation or body as a neighbourhood forum.

Extract from The Neighbourhood Planning (General) Regulations 2012**Application for designation of a neighbourhood area**

- 6. —(1) Where a relevant body(1) submits an area application to the local planning authority it must include—
 - (a) a map which identifies the area to which the area application relates;
 - (b) a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
 - (c) a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.
- (2) A local planning authority may decline to consider an area application if the relevant body has already made an area application and a decision has not yet been made on that application.

Application for designation of a neighbourhood forum

Where an organisation or body submits a neighbourhood forum application to the local planning authority it must include—

- (a) the name of the proposed neighbourhood forum;
- (b) a copy of the written constitution of the proposed neighbourhood forum;
- (c) the name of the neighbourhood area to which the application relates and a map which identifies the area;
- (d) the contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10; and
- (e) a statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.

Neighbourhood Forum and Area Application Form

1. Name of the proposed Neighbourhood Forum

Springbank Neighbourhood Forum

2. Name of the proposed Neighbourhood Area

Springbank (as defined by the Cheltenham Borough Council ward boundary)

3. Primary contact details (these will be made publically available)

The Neighbourhood Planning (General) Regulations 2012 Regulations 8, 9 and 10 requires details of at least one member of the proposed neighbourhood forum to be made public. Contact information provided in this section will be published.

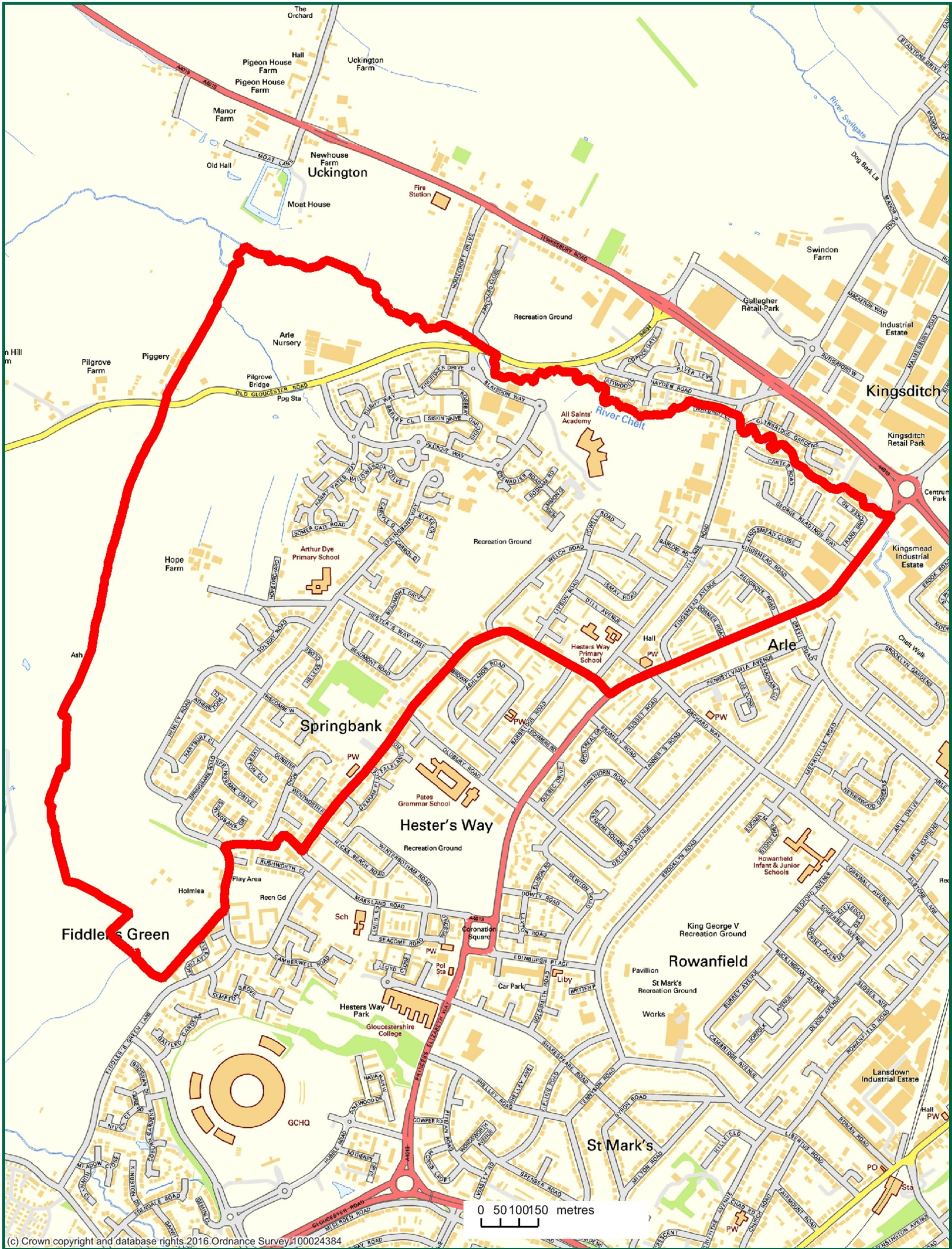
Title	Mr
First name	Adrian
Surname	Kingsbury
Address	76 Henley Road Springbank Cheltenham Glos
Postcode	GL51 0PD
Phone	07789 278863
e-mail	springbankforum@gmail.com

4. List of the proposed forum members and what their interest is (i.e. resident, worker, councillor)

	Name	Resident or Business Address if worker please include the name of	Interest in area		
			Resident	Worker	Council
1	MICHAEL BARNES	8 SOLWAY ROAD, SPRINGBANK, CHELTENHAM, GL51 0LZ	X		
2	DENISE BARNES	8 SOLWAY ROAD, SPRINGBANK, CHELTENHAM, GL51 0LZ	X		
3	PETER JEFFRIES	165 GEORGE READINGS WAY, CHELTENAHM, GL51 0UT	X		X
4	SHARON JEFFRIES	165 GEORGE READINGS WAY, CHELTENAHM, GL51 0UT	X		

5	SUSAN MILLS	38 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0LD	X		
6	ERIC MILLS	38 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0LD	X		
7	LUKE MILLS	32 HAZELDEAN ROAD, CAVENDISH PARK, CHELTENHAM, GL51 0QF	X		
8	BECKY MILLS	32 HAZELDEAN ROAD, CAVENDISH PARK, CHELTENHAM, GL51 0QF	X		
9	CAROL KINGSBURY	76 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0PD	X	X	
10	ADRIAN KINGSBURY	76 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0PD	X		
11	SUZANNE WILLIAMS	34 FRANK BROOKES ROAD, CHELTENHAM, GL51 0UW	X		X
12	ANDREW WILLIAMS	34 FRANK BROOKES ROAD, CHELTENHAM, GL51 0UW	X		
13	ANDREW HEGENBARTH	21 WILLOWBROOK DRIVE, CAVENDISH PARK, CHELTENHAM, GL51 0PU	X		
14	REBECCA JONES	80 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0PD	X	X	
15	GARY JONES	80 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0PD	X		
16	TERRY JONES	66 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0PD	X		
17	TINA JONES	66 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0PD	X		
18	ROGER HOPKINS	50 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0PD	X	X	
19	CAROL HOPKINS	50 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0PD	X		
20	LOURDES LEAL HERNANDEZ	44 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0LD	X		
21	MIGUEL A. ARRAUZ CARRERO	44 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0LD	X		
22	MARGARET HOLT	46 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0LD	X		
23	PETER HOLT	46 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0LD	X		
24	VALERIE TAYLOR	28 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0LD	X		
25	MICHAEL TAYLOR	28 HENLEY ROAD, SPRINGBANK, CHELTENHAM, GL51 0LD	X		
26	VANESSA HOPTON	120 GEORGE READINGS WAY, CHELTENHAM, GL51 0UT	X		
27	BARRY HOPTON	120 GEORGE READINGS WAY, CHELTENHAM, GL51 0UT	X	X	

4. An OS map at an appropriate scale which clearly identifies the proposed Neighbourhood Area



Springbank Neighbourhood Forum Area

1:9000
16 March 2017



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5. A statement explaining why this area is considered appropriate to be designated as a neighbourhood area.

The area is considered appropriate and practical to designate as a neighbourhood area as it covers the Springbank ward administrative area and would work as required to create a plan in conjunction with other wards or adjoining parish or borough councils where such plans may influence or be influenced by these areas.

6. A statement which explains how the proposed Neighbourhood Forum meets the conditions contained in Section 61F(5), Schedule 9 of the Town and Country Planning Act 1990

See attached Springbank Neighbourhood Forum Constitution

7. A brief statement setting out the main intention for establishing the Neighbourhood Forum

The Springbank Neighbourhood Forum has been established to promote the social economic and environmental well-being of the neighbourhood plan area, with specific aims of maintaining the open residential character of the neighbourhood, promote the availability, maintenance and use of green spaces, and encourage the creation of affordable housing where space permits, in a similar low density format complementing the existing neighbourhood area.

8. A copy of the written constitution for the proposed Neighbourhood Forum

See attached Springbank Neighbourhood Forum Constitution

SPRINGBANK NEIGHBOURHOOD FORUM CONSTITUTION

1. Name of Organisation

Springbank Neighbourhood Forum (SNF)

2. Aims

The Forum aims to promote or improve the social, economic and environmental wellbeing and conditions in the Springbank area as shown on the attached plan (the area), particularly through the preparation and implementation of a Neighbourhood Plan.

3. Membership

3.1 The membership of the Forum is open to:

- ☐ Individuals who live in the area
- ☐ Individuals who work in the area
- ☐ individuals elected members of Cheltenham Borough Council and/or Gloucestershire County Council whose ward or division includes the area.

3.2 The Forum must have a minimum membership of 21 individuals, each of whom either

- ☐ lives in the area
- ☐ works in the area
- ☐ are elected members of Cheltenham Borough Council and/or Gloucestershire County Council whose ward or division includes the area.

3.3 The Forum will strive to have a minimum of one member from each of the three categories in 3.2 above

3.4 The Forum will be as representative as possible of the people who live and work in the area. Thus membership will be drawn from different places in the area and from different sections of the community.

3.5 Membership will begin as soon as the membership form has been received.

3.6 A list of members will be kept by the Membership Secretary.

3.7 Ceasing to be a Member:

3.7.1 Members may resign at any time in writing to the Secretary

3.7.2 Offensive behaviour, including racist, sexist or inflammatory remarks, will not be permitted. Anyone behaving in an offensive way or breaking the equal opportunities policy may be asked not to attend further meetings or to resign from the group if an apology is not given or the behaviour is repeated. The individual concerned shall have the right to be heard by the Committee, accompanied by a friend, before a final decision is made.

4. Equal opportunities

The SNF will not discriminate on grounds of gender, race, colour, ethnic or national origin, sexuality, disability, religious or political belief, marital status or age.

5. Officers and Committee

The business of the Forum will be managed by a Committee.

5.1. The Officers of the Committee will initially be as follows:

Chair

Secretary

Treasurer

Further Officers shall be appointed all the Committee deem necessary

Working Group Leaders and Deputies

5.2 The officers of the Committee (Chair, Secretary, and Treasurer) will be elected at the Annual General Meeting of the Forum.

5.3 In the event of an officer standing down during the year a replacement will be elected by the next General Meeting of members.

5.4 Any Committee member not attending a meeting without apology for three months will be contacted by the Committee and asked if they wish to resign.

5.5 The officers' roles are as follows:

- ☐ Chair, who shall chair both general and Committee meetings
- ☐ Secretary, who shall be responsible for the taking of minutes and the distribution of all papers
- ☐ Treasurer who shall be responsible for maintaining accounts

5.6 The Committee has the power to co-opt up to 5 additional members to ensure maximum feasible representativeness of the people who live and/or work in the area.

5.7 Committee responsibilities:

5.7.1 The overall management of the business of the Forum

5.7.2 Coordinating the work of the Working Groups (Working Groups are referred to in more detail at paragraph 7)

5.7.3 Drafting, agreeing and promoting the implementation of the Springbank Neighbourhood Plan 2017-2031

5.8 Committee meetings

5.8.1 The Committee will meet a minimum of 4 times a year.

5.8.2 The quorum for the Committee will be 5 members

6. Meetings of the Forum

6.1 Annual General Meeting

6.1.1 An Annual General Meeting (AGM) will be held within fifteen months of the previous AGM.

6.1.2 All members will be notified in writing at least 3 weeks before the date of the meeting, giving the venue, date and time.

6.1.3 Nominations of officers for the Committee may be made to the Secretary before the meeting, or at the meeting.

6.1.4 The quorum for the AGM will be 10 members,

6.1.5 At the AGM:

- ☐ The Committee will present a report of the work of the SNF over the year.
- ☐ The Committee will present the accounts of the SNF for the previous year.

- ☐ The officers and Committee for the next year will be elected.
- ☐ Any proposals given to the Secretary at least 7 days in advance of the meeting will be discussed

6.2 Special General Meetings

6.2.1 The Secretary will call a Special General Meeting at the request of the majority of the Committee or at least eight other members giving a written request to the Chair or Secretary stating the reason for their request.

6.2.2 The meeting will take place within twenty-one days of the request.

6.2.3 All members will be given two weeks' notice of such a meeting, giving the venue, date, time and agenda. Notice may be by telephone, email or post.

6.2.4 The quorum for the Special General Meeting will be 10 members, whichever is the greater number.

6.3 Rules of Procedure for Committee Meetings, Annual General Meetings and Special General Meetings

6.3.1 All questions that arise at any meeting will be discussed openly and the meeting will seek to find general agreement that everyone present can agree to.

6.3.2 If a consensus cannot be reached, a vote will be taken and a decision will be made by a simple majority of members present. If the numbers of votes cast on each side are equal, the chair of the meeting shall have an additional casting vote.

7. Working Groups

7.1 The Working Groups and their Leaders are established by the Committee.

7.2 A Working Group will comprise a minimum of 2 people from the Forum area.

7.3 Working Groups develop the working arrangements which suit them best and meet as required to investigate and discuss the issues assigned to them.

7.4 The leader or deputy leader reports to the Forum Committee normally once per month.

8. Partner Organisations

8.1 To further its aims, the Forum will work in partnership with relevant public, private and community/voluntary sector organisations.

8.2 The work of the Forum will complement, rather than duplicate, the work of other voluntary and community sector organisations in the area.

9. Finances

9.1 An account will be maintained on behalf of the Forum at a bank agreed by the Committee. Two cheque signatories will be nominated by the Committee (one to be the Treasurer). Any two of these must sign every cheque. The signatories must not be related nor members of the same household.

9.2 Records of income and expenditure will be maintained by the Treasurer and a financial statement given to each meeting.

9.3 All money raised by or on behalf of the SNF is only to be used to further the aims of the group, as specified in item 2 of this Constitution.

10. Amendments to the Constitution

10.1 Amendments to the constitution may only be made at the Annual General Meeting or a

Special General Meeting.

10.2 Any proposal to amend the constitution must be given to the Secretary in writing. The proposal must then be circulated with the notice of the meeting.

10.3 Any proposal to amend the constitution will require a two thirds majority of those present and entitled to vote.

11. Dissolution

11.1 If a meeting of the Management Committee, by simple majority, decides that it is necessary to close down the Forum it may call a Special General Meeting to do so. The sole business of this meeting will be to dissolve the group.

11.2 If it is agreed to dissolve the group, all remaining money and other assets, once outstanding debts have been paid, will be donated to a community group or local charitable organization, in order to benefit the Springbank neighbourhood. The group/organisation to receive the donation will be agreed at the meeting held to agree the dissolution.

This constitution was agreed at the inaugural meeting of the Springbank

Neighbourhood Forum on ...6th March 2017.

Name

Signed

.....

Name

Signed

.....

Name	Comment
Cllr Suzanne Williams	As a local councillor, it is a pleasure to see a group of local people, taking an interest in the future of our area. Especially at what could potentially be, a period of great change for us.
Jean Gladwell	Springbank residents have only recently learned of the massive development planned for the greenbelt land we all thought was protected. This has lead to the realization that we had no group to speak for us or to bring us all together for the good of our area. Yes we have Hesters' Way partnership but we do not get the forum magazine and most of their work seems to be outside our area. It would be good to have something we can relate to now and in the future. Already GCHQ are turning our local streets into an overspill car park and I am sure things are only going to get worse. It would be good to have a first point of contact for any concerns and suggestions. We have already been hived off to Tewkesbury as regards our MP and don't even know the name of the MP who will represent us (not that he will have much interest in a bit of Cheltenham tacked onto his ward). To have our own forum would at least be a starting point to giving us a voice on what happens in the area we live in.
Adrian Kingsbury	<p>Since the creation of Hester's Way estate in the 50's and the subsequent urban extensions of Springbank in the 60's, and Cavendish Park and Arle Farm in the 80's, it has become evermore apparent that the lack of a traditional parish council type arrangement has been a disadvantage for these areas, as subsequent creation of partnerships etc. just do not appear to be recognised as having any gravitas in the community.</p> <p>The new approach of forums may well be hamstrung by a similar malaise, but these are the tools with which the government wish us to work, and at present it is apparent that the immediate community of Springbank is very focussed and wants a greater voice in its destiny, and as such I would very much like to see such a Forum for the area be recognised and promoted by the Council.</p>
Ann Denise Barnes	I am concerned that unwanted and unnecessary development is being considered for building on our precious greenbelt land in the Springbank area. I, therefore, believe that it is necessary for a Forum to help voice the views of our local community and to safeguard Springbank in Council decisions both current and in the future.
John O'Nion	<p>I wish to support the creation of a local forum for the Springbank area.</p> <p>The recent plans for the development of the green belt to the west of the area has shown that we in this area have NO organised voice in place to protest, question or discuss any plans or suggestion that impact upon us.</p> <p>The creation of a Springbank Forum will give us this voice.</p>
Cllr Peter Jeffries	<p>I am responding to the application by residents for a Springbank Neighbourhood forum.</p> <p>It is extremely satisfying to see so many residents I represent coming together to try and have a measurable input into how their</p>

Name	Comment
	<p>community is shaped, both now and for the future. Having a resident led forum will I'm sure prove hugely beneficial in the development of their neighbourhood plan.</p> <p>Springbank as a ward in the borough of Cheltenham was conceived through what can only be described as piece meal development over a number of generations, so this forum will play a crucial role in address outstanding community concerns whilst providing a vision for the future. This vision will be critical in planning policy terms at the local level.</p> <p>Finally, with a growing membership I believe there is a recognition that this community wishes to be part of the wider conversation in how the proposed West Cheltenham strategic developments are progressed, Working with neighbouring communities will be an important part of the Forums discussions in developing their plan.</p> <p>A truly local plan, developed by local residents, addressing local concerns, producing a local vision for their future.</p>
Diana O'Nion	<p>I wish to support the founding of the Springbank Neighbourhood Forum.</p> <p>The idea of giving the people a formal voice on local concerns has recently been highlighted by the short time we have had to organise from scratch to oppose the ideas within the JCS.</p> <p>The formation of a forum for the Springbank area gives the people a voice.</p>
Carol Kingsbury	<p>Having experienced the current situation in West Fheltenham, that the residents of the Springbank neighbourhood are experiencing, I feel this would be a very good idea for the community. There is a desperate need to have a friendly, communication network in place within the community. This would bring people together to enable people to be involved in their neighbourhoods future.</p>
Michael Barnes	<p>Due to the public opinions of the Springbank residents not having a voice on matters that affect them locally there is a need for a forum to address this. There has not been a machine where a residents plan for the future of the area or any consideration to any impacts by outside influences. The creation of the Springbank Forum would give the area an identity it somewhat lacks currently as indicated by the speed and lack of information over the proposed development of the West Cheltenham Greenbelt.</p> <p>I do hope this forum is given approval.</p>
Cllr Ian Bickerton	<p>Can you please record my support to the Springbank Neighbourhood Forum, this will be vital to give residents a voice on</p>

Name	Comment
	important decisions and masterplanning to 2031 given the rapid changes being made to the JCS and the local plan. This would be consistent with Council policy as debated in the chamber and meets the spirit of localism.